

# **EXHIBIT O**



ORRICK

ORRICK, HERRINGTON & SUTCLIFFE LLP  
1000 MARSH ROAD  
MENLO PARK, CA 94035  
(650) 614-7452  
(650) 614-7451  
[www.orr.com](http://www.orr.com)

June 13, 2006

G. Hopkins Guy  
(650) 614-7452  
[hopguy@orrick.com](mailto:hopguy@orrick.com)

**VIA FACSIMILE AND U.S. MAIL**

John F. Hornick, Esq.  
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP  
901 New York Avenue, N.W.  
Washington, D.C. 20001

Re: ConnectU v. Zuckerberg, et. al.

Dear John:

Yesterday, June 12, 2006, ConnectU filed a 20 page "Supplemental" Opposition Brief to the Defendants' Motion to Dismiss and raised several new legal arguments. Additionally, ConnectU filed three Declarations from Divya Narendra, Cameron Winklevoss, and Tyler Winklevoss in support of the Supplemental pleading. Accordingly, while Divya's deposition has already been noticed, please find enclosed two Notices of Deposition for Cameron and Tyler Winklevoss, to occur on Tuesday, June 20, 2006, at 9:00 a.m. and 1:00 p.m., respectively, at the law offices of Proskauer Rose in Boston.

Due to the hearing already set to occur on June 22, 2006, we are on an unusually tight schedule. I therefore ask that you immediately confirm that the depositions of Cameron and Tyler Winklevoss can and will take place as now noticed. In that regard, please feel free to call me if you have any questions.

Also, I still have not heard from you regarding proposed procedures, such as marking of exhibits and exchange of exhibit lists, for the June 22, 2006 hearing. Please contact either me or Monte Cooper regarding your proposals. I will have Monte follow-up if we have not heard by the end of business today.

Very truly yours,

A handwritten signature in black ink, appearing to read "G. Hopkins Guy".

cc: Margaret A. Esquenet, Esq. (via email)  
Troy E. Grabow, Esq. (via email)

O

O R R I C K

John F. Hornick, Esq.  
June 13, 2006

Robert B. Hawk, Esq. (via email)  
Daniel K. Hampton, Esq. (via email)  
Steve M. Bauer, Esq. (via email)  
Pat Hart,. (via email)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiffs,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,  
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,  
CHRISTOPHER HUGHES, and FACEBOOK,  
INC.,

Defendants.

MARK ZUCKERBERG, and FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER  
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

CIVIL ACTION NO. 1:04-CV-11923  
(DPW)

**NOTICE OF DEPOSITION OF CAMERON WINKLEVOSS**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT pursuant to Rule 30 of the Federal Rules of Civil Procedure Defendant and Counterclaimant Facebook, Inc. will take, by oral examination, the deposition of Cameron Winklevoss, which will commence on June 20, 2006, at 9:00 a.m.. at the law offices of Proskauer Rose, LLP, One International Plaza, 14th Floor, Boston, MA 02110-2600, (617) 526-9600, or at such other time and place as mutually agreed upon by counsel. The deposition will continue from day to day until completed.

The testimony of Mr. Winklevoss will be recorded by video, as well as stenographic means including the instant visual display of testimony. The deposition will be taken before an officer authorized by law to administer oaths pursuant to Rule 28 of the Federal Rules of Civil Procedure.

Dated: June 13, 2006



Monte M.F. Cooper (*Admitted Pro Hac Vice*)  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
1000 Marsh Road  
Menlo Park, CA 94025  
Telephone: (650) 614-7400  
Facsimile: (650) 614-7401

PROSKAUER ROSE, LLP  
One International Plaza, 14th Floor  
Boston, MA 02110-2600  
Telephone: (617) 526-9600  
Facsimile: (617) 526-9899

Attorneys for Mark Zuckerberg,  
Dustin Moskovitz, Andrew Mccollum, Christopher  
Hughes, and Facebook, Inc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiffs,

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MARK ZUCKERBERG, EDUARDO SAVERIN,  
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,  
CHRISTOPHER HUGHES, and FACEBOOK,  
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MARK ZUCKERBERG, and FACEBOOK, INC.,

Counterclaimants,

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CONNECTU LLC,

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and

CAMERON WINKLEVOSS, TYLER  
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

CIVIL ACTION NO. 1:04-CV-11923  
(DPW)

**NOTICE OF DEPOSITION OF TYLER WINKLEVOSS**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT pursuant to Rule 30 of the Federal Rules of Civil Procedure Defendant and Counterclaimant Facebook, Inc. will take, by oral examination, the deposition of Tyler Winklevoss, which will commence on June 20, 2006, at 1:00 p.m.. at the law offices of Proskauer Rose, LLP, One International Plaza, 14th Floor, Boston, MA 02110-2600, (617) 526-9600, or at such other time and place as mutually agreed upon by counsel. The deposition will continue from day to day until completed.

The testimony of Mr. Winklevoss will be recorded by video, as well as stenographic means including the instant visual display of testimony. The deposition will be taken before an officer authorized by law to administer oaths pursuant to Rule 28 of the Federal Rules of Civil Procedure.

Dated: June 13, 2006



Monte M.F. Cooper (*Admitted Pro Hac Vice*)  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
1000 Marsh Road  
Menlo Park, CA 94025  
Telephone: (650) 614-7400  
Facsimile: (650) 614-7401

PROSKAUER ROSE, LLP  
One International Plaza, 14th Floor  
Boston, MA 02110-2600  
Telephone: (617) 526-9600  
Facsimile: (617) 526-9899

Attorneys for Mark Zuckerberg,  
Dustin Moskovitz, Andrew McCollum, Christopher  
Hughes, and Facebook, Inc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiffs,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,  
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,  
CHRISTOPHER HUGHES, and FACEBOOK,  
INC.,

Defendants.

MARK ZUCKERBERG, and FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER  
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

CIVIL ACTION NO. 1:04-CV-11923  
(DPW)

**PROOF OF SERVICE VIA FACSIMILE AND FEDERAL EXPRESS**

I am more than eighteen years old and not a party to this action. My place of employment and business address is 1000 Marsh Road, Menlo Park, CA 94025.

On June 13, 2006, I delivered to the below listed individuals the following documents:

1. **NOTICE OF DEPOSITION OF CAMERON WINKLEVOSS**
2. **NOTICE OF DEPOSITION OF TYLER WINKLEVOSS**

|                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | By transmitting via facsimile the document(s) listed above to the fax number(s) set forth below before 5:00 p.m. on June 13, 2006.  |
|                                     | By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Menlo Park, California addressed as set forth below on June 13, 2006.   |
|                                     | By causing personal delivery by WESTERN MESSENGER of the document(s) listed above to the person(s) at the address(es) set forth below.  |
|                                     | By personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.  |
| <input checked="" type="checkbox"/> | By placing a true and correct copy of the document(s) in a Federal Express envelope addressed as set forth below and then sealing the envelope, affixing a pre-paid Federal Express air bill, and causing the envelope to be delivered to a Federal Express agent for delivery. |

**John F. Hornick, Esq,**  
**Troy E. Grabow, Esq.**  
Finnegan, Henderson, Farabow, Garrett &  
Dunner, LLP  
901 New York Ave.  
Washington, D.C. 20001  
Telephone: (202) 408 -4000  
**Facsimile: (202) 408-4400**

#### **ATTORNEYS FOR PLAINTIFF CONNECTU**

**Robert B. Hawk, Esq.**  
**Bhanu K. Sadasivan, Esq.**  
Heller Ehrman, LLP  
275 Middlefield Road  
Menlo Park, CA 94025  
Telephone: (650) 324 -7000  
**Facsimile: (650) 324-0638**

**Daniel K. Hampton, Esq.**  
Holland & Knight, LLP  
10 St. James Avenue, 11th Floor  
Boston, MA 02116  
Telephone: (617) 523-2700  
**Facsimile: (617) 523-6850**

#### **ATTORNEYS FOR DEFENDANT EDUARDO SAVERIN**

Executed on June 13, 2006, at Menlo Park, California. I declare under penalty of perjury that the foregoing is true and correct.

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Amy Dalton